

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

DIGITAL MEDIA SOLUTIONS, LLC,)	
)	Case No. 1:19-cv-00145
<i>Plaintiff,</i>)	
)	Judge Dan Aaron Polster
v.)	
)	Magistrate Judge Thomas M. Parker
SOUTH UNIVERSITY OF OHIO, LLC <i>et al.</i> ,)	
)	
<i>Defendants.</i>)	
)	

**SETTLEMENT ADMINISTRATOR’S RESPONSE TO NOTICE OF
REVISED BAR ORDER**

Without waiving any objections to the proposed Bar Order, and reiterating that such an order would constitute a final determination of rights and claims of both parties and non-parties under Federal Rule of Civil Procedure 54(b) and would operate as an immediately appealable injunction under 28 U.S.C. § 1292(a)(1), Thomas J. Perrelli, Settlement Administrator by Consent Judgment in *Kentucky v. Education Management Corporation*, No. 15-CI-1201 (Ky. Cir. Court Nov. 16, 2015) and related cases (“Settlement Administrator” or “Administrator”), respectfully submits this response to the Notice of Revised Bar Order at Dkt. No. 492.

First, the Settlement Administrator hereby restates the objections raised in his opposition brief at Dkt. No. 485 to the revised Bar Order proposed by Studio Enterprise Manager, LLC at Dkt. No. 492-1.

Second, pursuant to this Court’s clarification from the bench at the conclusion of the December 3, 2019 hearing, the Settlement Administrator respectfully requests that this Court include the following paragraph in any Bar Order adopted in conjunction with said hearing:

Notwithstanding anything else contained in this Bar Order, nothing herein shall be construed to interpret or modify any rights or obligations under the Consent Judgment entered in *Kentucky v. Education Management Corporation*, No. 15-CI-1201 (Ky. Cir. Court Nov. 16, 2015) and related cases.

Respectfully submitted,

DATED: December 4, 2019

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Attorneys for Intervenor
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CERTIFICATE OF SERVICE

I hereby certify that on December 4, 2019 a copy of the foregoing was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

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